

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-CR-140-JFH-2

HAILEY MICAELA MACE,

Defendant.

OPINION AND ORDER

Before the Court is a sealed motion to dismiss without prejudice (“Motion”) filed by the United States of America (“Government”). Dkt. No. 101. The Government requests leave to dismiss the superseding indictment [Dkt. No. 29]¹ without prejudice as to Defendant Hailey Micaela Mace (“Defendant”). *Id.*

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of the charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s sealed motion to dismiss without prejudice [Dkt. No. 101] is GRANTED and the Superseding Indictment [Dkt. No. 29] is dismissed without prejudice as to Defendant Hailey Micaela Mace.

Dated this 24th day of January 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE

¹ Defendant was not named in the original indictment. *See* Dkt. No. 14.